

City Commission Regular Meeting
Tuesday, February 13, 2024
[Video](#) and [Agenda Packet](#)

Mayor Fred Cleveland called the meeting to order. Also in attendance were Vice Mayor Valli Perrine, Commissioners Randy Hartman, Lisa Martin, and Jason McGuirk. Staff present were City Manager Khalid Resheidat, Assistant City Manager Ron Neibert, Assistant City Clerk Sharon Harding , and City Attorney Carrie Avallone.

PRESENTATION - NSB Canal Street Classic Car Show

Citizens Bob Gatchel, Craig Caswell, and Jana Caswell outlined a presentation regarding the Canal St. Car Show. Bob Gatchel presented financial information relating to the event, requesting a waiver for the \$500 monthly fee. The importance of the car show as being one of the largest monthly community events and a boon to businesses on Canal St. was highlighted.

Five members of the public spoke in favor of removing the monthly fee.

Commissioner McGuirk made a motion to waive the \$500 monthly fee for twelve months. Mayor Cleveland seconded the motion, and the motion carried by a 3-2 vote, with Commissioners Martin and Hartman voting no.

City Managers Report

- ✚ The city manager reported that he, the assistant manager, police chief and fire chief met with the county manager to express the importance of a good working relationship.
- ✚ The city manager and the mayor went to Tallahassee to meet with legislators.
- ✚ The RFP for 120 Flagler is to be submitted to extend the bids. There are presently two bids.
- ✚ The RFP for the Women’s club has been extended to February 28, 2024.
- ✚ The Barracuda Bridge will be completed on time, June 2024.
- ✚ The Mary Ann Clancy ramp repair is awaiting FEMA funds.
- ✚ Crushing Concrete is being monitored for noise and dust. There are no significant issues there.
- ✚ Interviews for the City Manager position are scheduled for May 6 & May 10.

Public Participation

- Concern was voiced about the Planning and Zoning Board’s [February 5](#) reversal of their [December decision](#) regarding denial of the [Cooper Street vacation](#). The reversal created a lot of misunderstanding with the public. Additional information was provided by the applicant which showed there was compliance with the current ordinance so staff reversed the previous denial.
- Donna Athearn reported on the Turnbull Creek Preservation Board activities and asked for direction concerning future duties of the board. She spoke to the importance of the preservation of lands/resources for the quality of life of residents.
- Bob Williams gave an update on The Coalition for the Homeless and the 1st Step Shelter.
- Angie Herman spoke to inform all of the NSB Residents’ Coalition Charming Home Tour, March 21, 2024.
- Jana Caswell thanked the commission for their support of the Canal St Classic Car Show.

- Katie Miller thanked the commission for the new improvements at the Skate Board Park.

Consent Agenda

Items 7.A -7.M were Unanimously adopted

7.A Consider the adoption of the City Commission Regular Meeting Minutes from January 23, 2024.

7.B Resolution No. 09-24: Consider the adoption of a resolution, which if adopted, would amend the FY2023-2024 budget.

7.C Resolution No. 10-24: Consider the adoption of a Resolution, which if adopted, would approve applying for a F.I.N.D. (Florida Inland Navigation District) Grant for Brannon Center ADA Dock Replacement.

7.D Consider the approval of a License Agreement to allow a paved parking area in the St. Andrews Street right-of-way in front of property located at 501 S. Dixie Freeway.

7.E Consider the approval of an Interlocal Agreement between the City of Edgewater and the City of New Smyrna Beach concerning Chief Building Official Services.

7.F Consider and approval of proposal from Mead & Hunt to convert Septic to Sewer.

7.G Consider the approval of pipe inspections and repair with Shenandoah General Construction, LLC.

7.H Consider the approval of the United Church of Christ Right-Of-Way Access Easement Agreement.

7.I Special Event: Consider the approval of two additional road closures for Art Fiesta 2024, to be held on Saturday February 24 and Sunday February 25, 2024.

7.J Special Event: Consider the approval of the New Smyrna Beach Food Festival 2024, on Thursday April 18, 2024.

7.K Special Event: Consider the approval of the NSB Shrimp & Seafood Food Festival 2024, on Thursday August 1, 2024.

7.L Special Event: Consider the approval of the City of New Smyrna Beach Juneteenth Celebration, to be held on Saturday June 15, 2024.

7.M Special Event: Consider the approval of the Seaside Fiesta 2024, on Thursday June 20, 2024.

ORDINANCES - FIRST READING

10.A Ordinance No. 09-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would vacate a portion of platted Cooper Street. This section of un-opened right-of-way 4 | Page is located south of East 3rd Avenue, between South Peninsula Avenue and Saxon Boulevard.

City Attorney Avallone reported that Second Reading and Public hearing will be conducted during the February 27, 2024, regular City Commission meeting.

BOARDS AND COMMISSIONS

Timothy Caudill was appointed to serve an unfilled three-year term as a regular member of the Airport Advisory Board, expiring on September 9, 2026.

MAYOR AND COMMISSION REPORTS

Vice Mayor Perrine moved to adopt Resolution No. 11-24, authorizing participation in a lawsuit seeking a declaration that the provisions of Section 112.144(1)(d), Florida Statutes, that require municipal elected officials to file Form 6 financial disclosure form is

unconstitutional and invalid. Commissioner McGuirk seconded the motion, the motion carried by a 3-2 vote, with Commissioner Hartman and Commissioner Martin voting no.

The City Commission, by consensus, tasked staff with establishing direction for the Turnbull Creek Land Preservation Committee for City Commission consideration.

Commissioner Hartman moved to direct City Attorney Avallone to investigate the procedural steps to implement a halt on any new development that adversely impacts the malfunctioning stormwater system at Venetian Bay. Vice Mayor Perrine seconded the motion, and the motion carried unanimously.

Commissioner Martin moved to direct staff to research architectural guidelines for Flagler Avenue. Commissioner McGuirk seconded the motion, and the motion carried by a 3-2 vote, with Vice Mayor Perrine and Mayor Cleveland voting no.

Mayor Cleveland announced the recent passing of Skip Diegel, of WSBB radio station. He also announced the State of the City address being given on February 26, 2024 at the Brannon Center.